

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

WILLIE D. FREEMAN,)	CASE NO. 1:07 CV 3182
)	
Petitioner,)	JUDGE SARA LIOI
)	
v.)	
)	MEMORANDUM OF OPINION
GERALD T. MCFAUL,)	AND ORDER
)	
Respondent.)	

On October 16, 2007, petitioner *pro se* Willie D. Freeman filed the above-captioned habeas corpus action under 28 U.S.C. § 2254. Mr. Freeman is being held at the Cuyahoga County Jail, having been charged with two counts of escape under Ohio law.

A federal district court may entertain a petition for a writ of habeas corpus by a person in state custody only on the ground that the custody violates the Constitution or laws of the United States. Furthermore, the petitioner must have exhausted all available state remedies. 28 U.S.C. § 2254.

Mr. Freeman appears to assert that the statutes under which he has been charged do not apply to him. However, there is no indication on the face of the petition that he seeks to raise an issue cognizable in habeas corpus, as he sets forth no federal grounds which might entitle him to release.

For the foregoing reasons, the petition is denied and this action is dismissed pursuant to Rule 4 of the Rules Governing Section 2254 Cases. Further, the court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and that there is no basis on which to issue a certificate of appealability. Fed.R.App.P. 22(b); 28 U.S.C. § 2253.

IT IS SO ORDERED.

Dated: December 28, 2007



HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE